

January 21, 2010



U.S. Department
of Transportation

East Building, PHH – 30
1200 New Jersey Avenue, Southeast
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 9418
(EIGHTH REVISION)

EXPIRATION DATE: November 30, 2013

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: West Texas Fabrication, Inc.
Odessa, TX
2. PURPOSE AND LIMITATIONS:
 - a. This special permit authorizes the manufacture, mark, sale and use of non-DOT specification portable tank assemblies manifolded together within a frame and securely mounted on a truck chassis, to be used for the transportation in commerce of the materials listed in paragraph 6 below. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.242 in that non-DOT specification packaging is not authorized, except as specified herein.
5. BASIS: This special permit is based on the application of West Texas Fabrication, Inc. dated December 3, 2009, submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Those hazardous materials currently authorized to be shipped in a DOT Specification 57 portable tank	3 or 8 As appropriate	As appropriate	As appropriate

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging is an assembly of six (6) 60-gallon capacity or four (4) 80-gallon capacity, non-DOT specification portable tanks manifolded together within a frame, having top and bottom openings, designed and constructed in accordance with West Texas Fabrication drawings dated April 9, 1985, and February 3, 1983, on file with the Office of Hazardous Materials Special Permits & Approvals (OHMSPA). The tanks must be constructed in conformance with DOT Specification 57 in all respects except as follows:

(1) The line which reads "Specification identification" on the metal certification plate required by the 1990 edition of 49 CFR § 178.251-7 may not be marked DOT Specification 57.

(2) A capacity of less than 119 gallons is authorized.

(3) The use of sight glasses is authorized. Each sight glass must have shut-off valves, top and bottom, and be provided with adequate protection to prevent accidental breakage.

b. TESTING - Each tank must be (i) visually inspected prior to each trip to ensure that it has not been damaged on the previous trip; and (ii) reinspected and retested once every two years in accordance with § 180.605 as prescribed for DOT Specification 57 portable tanks at a minimum pressure of 10 psig.

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c. OPERATIONAL CONTROLS -

- (1) Each tank must be filled so as not to be liquid full at less than or equal to 130°F.
- (2) Sight glasses shut-off valves must be closed during transportation.
- (3) Each filling overflow line must be fitted with a shut-off valve on the top of the tank which must be closed during transportation.

8. SPECIAL PROVISIONS:

- a. A test report documenting a satisfactory prototype test for this tank design assembly must be on file with the OHMSPA prior to the first shipment.
- b. Hydrostatic test certificates for each tank must be maintained by the manufacturer or owner and made available upon request to any representative of the Department of Transportation.
- c. Tanks are only authorized when manifolded together within a frame.
- d. Marking and placarding requirements specified for cargo tanks in 49 CFR Part 172, Subpart D and Subpart F, must be met.
- e. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this special permit for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this special permit.
- f. A person who is not a holder of this special permit, but receives a package covered by this special permit, may reoffer it for transportation provided no modifications or changes are made to the package and it is offered for transportation in conformance with this special permit and the HMR.
- g. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

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- h. Each packaging manufactured under the authority of this special permit must be either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured or (2) marked with a registration symbol designated by the Office of Hazardous Materials Special Permits and Approvals for a specific manufacturing facility.
- i. A current copy of this special permit must be maintained at each facility where the package is manufactured under this special permit. It must be made available to a DOT representative upon request.
- j. MARKING - Each manifolded unit must be plainly marked on both sides near the middle, in letters at least two inches high on a contrasting background, "DOT-SP 9418".
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each motor vehicle used to transport packages covered by this special permit.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, Parts 171-180.
 - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
 - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

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No person may use or apply this special permit, including display of its number, when the special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)–“The Hazardous Materials Safety and Security Reauthorization Act of 2005” (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term “exemption” to “special permit” and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Dr. Magdy El-Sibaie

Acting Associate Administrator for Hazardous Materials Safety
Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm
Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: JSH/dl/sln